

REMARKS

Claims 1- 18 remain in this application. Withdrawn claims 1-10 and 13-15 are canceled without prejudice to filing a divisional application. Claims 11 and 12 have been amended and new claims 16-18 added by this amendment.

The amendment “a microscope holding member that holds both of the probe microscope and the auxiliary microscope on the specimen stage” in currently amended claim 11 is based on “a microscope holding mechanism (i.e., a third microscope holding member) 520 that holds both the probe microscope 10A and the video microscope 510” on page 66, lines 7 to 9, in the original specification of the present application.

New claims 13 to 15 are based on the following description: “The microscope holding mechanism 520 is provided with a Z stage 521 that stands upright on the base 50A, a θ stage 522 that is mounted on a top end of the Z stage 521, an arm 523 that extends horizontally towards an area above the specimen stage 40A from the θ stage 522, a rotating member 524 that is rotatably linked to a distal end of the arm 523 so as to be able to rotate around a horizontal axis, and a locking screw (not shown) that fixes the rotation position of the rotation member 524 or allows this position to be changed.

“The probe microscope 10A is held below the distal end of the arm 523 so that the optical axis of the probe 12 faces vertically downwards onto the specimen stage 40A. The video microscope 510 is mounted on the rotating member 524 such that the optical axis thereof intersects with the optical axis of the probe 12, and also such that an image of the distal end of the probe 12 appears at a substantially central position in the visual field of the video microscope 510” described from page 66, line 16 to page 67, line 3, in the original specification of the present application.

Accordingly, no new matter is included in currently amended claim 11, and new claims 13 to 15.

In amending the claims, Applicant has followed suggestions by the Examiner to amend claims 11 and 12 so as to delete “second” and “third.” Accordingly the objections to claims 11 and 12 should be withdrawn.

Regarding novelty rejections to claim 11 over Prinzhausen et al. and obvious rejections to claims 11 and 12 over Tsumanuma et al. in view of Prinzhausen et al., Applicants note the following:

The microscopic observing apparatus according to currently amended claim 11 includes the feature of “a microscope holding member that holds both of the probe microscope and the auxiliary microscope on the specimen stage.”

With this feature, the microscopic observing apparatus can obtain an advantageous effect described in the tenth embodiment in the original specification of the present application. That is: “Firstly, the subject of observation O1 is placed on the specimen stage 40A and macro observation is performed using the video microscope 510. At this time, if necessary, the specimen stage 40A, the Z stage 521, and the θ stage 522 are operated and adjusted so that the desired observation field of vision can be obtained. *Even if this type of adjustment is performed, because the probe microscope 10A and the video microscope 510 are held by the common arm 523, the relative positional relationship between the optical axes thereof will not change.*” See page 67, lines 13 to 19, in the original specification of the present application.

On the other hand, Prinzhausen et al. and Tsumanuma et al. neither discloses nor suggests the above-mentioned feature.

Accordingly, currently amended claim 11 is novel and non-obvious, and therefore should be allowed.

In addition, currently amended claim 12 and new claims 16 to 18 should also be allowed due to their dependency on allowable claim 11.

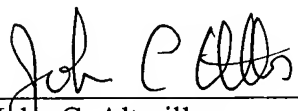
Thus, all claims remaining in this application are in condition for allowance, prompt notice of which is respectfully solicited

If for any reason the Examiner believes these amendments do not overcome the rejections and objections, the Examiner is requested to call the undersigned at (202) 220-4200 to discuss this application.

The Office is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16, § 1.17 or § 1.136, or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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